



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

June 26, 2014

BY ELECTRONIC MAIL

Paul S. Brzozowski, P.E.
Project Coordinator
Tierra Solutions, Inc.
(On behalf of Occidental Chemical Corporation)
2 Tower Center Blvd., 10th Floor
East Brunswick, NJ 08816

Re: Unilateral Administrative Order (UAO) for Removal Response Activities
CERCLA Docket No. 02-2012-2020
Lower Passaic River Study Area – River Mile 10.9: Pipeline Survey

Dear Mr. Brzozowski:

The U.S. Environmental Protection Agency (EPA) is in receipt of the June 13, 2014 letter from Tierra Solutions, Inc. (Tierra), submitting a revised Quality Assurance Project Plan (QAPP) for geophysical survey efforts on behalf of Occidental Chemical Corporation (Occidental). In a letter dated May 29, 2014, EPA asked Tierra to resubmit the QAPP, addressing EPA's comments, and also directed Tierra to submit a Quality Management Plan (QMP) for University of Illinois (UOI), as per Paragraph 17 of the UAO. EPA further stated that if UOI were unable to provide a QMP, steps should be immediately taken to identify a contractor that can meet EPA's requirements. However, Tierra advised in your June 13, 2014 letter that UOI does not have a QMP and as such one will not be submitted to EPA.

Since Tierra is unable to submit a QMP for UOI, EPA cannot approve the QAPP. EPA does not object to the survey work, but as stated in my May 29, 2014 letter, in the absence of a QMP EPA has concerns about UOI's experience and expertise necessary to conduct the proposed survey, and we will not oversee this work as part of the UAO.

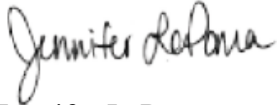
EPA understands that Tierra will proceed with the geophysical survey notwithstanding the absence of a QMP. To address EPA's recommendations, Tierra proposes to follow that work with physical measures consisting of in-river probing to obtain pipeline depth information. Tierra proposes to retain Ocean Survey, Inc., or a similar contractor that is familiar with the Passaic River and has been approved by EPA on previous occasions, submitting a QAPP for the physical probing by October 2014.

This approach is acceptable to EPA, assuming Tierra selects a contractor that is able to meet EPA's requirements (including that of a QMP). EPA looks forward to receipt of information about the contractor, and submission of the physical probing QAPP pursuant to Paragraph 25 of the UAO.

The schedule in your letter of June 13, 2014 shows preparation of a QAPP for the probing work in "September/October." In view of the delays already caused by UOI's schedule, please take steps to expedite the preparation of a QAPP for the probing work, submitting it for review by September 30, 2014.

If you have any questions, please contact me at 212-637-4328.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jennifer LaPoma".

Jennifer LaPoma
Remedial Project Manager
U.S. EPA – Region 2

cc: Ray Basso (EPA)
Sarah Flanagan (EPA)